




George R. Hodges
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

IN RE:)	
)	Case No. 18-10228
WORLEY KEVIN HOOVER,)	
)	Chapter 11
Debtor.)	
)	

ORDER GRANTING MOTION TO DISMISS WITH PREJUDICE

THIS MATTER came on for hearing on October 17, 2018 before the Honorable George R. Hodges, United States Bankruptcy Judge for the Western District of North Carolina, upon the Motion to Dismiss (the "Motion") filed by the Office of the Bankruptcy Administrator for the Western District of North Carolina (the "Bankruptcy Administrator") and the Joinder in Motion to Dismiss Case Filed by the Bankruptcy Administrator (the "Joinder") filed by United Federal Credit Union ("United Federal"); Alexandria P. Kenny appeared on behalf of the Bankruptcy Administrator, James E. Vaughan appeared on behalf of United Federal and Benson T. Pitts appeared on behalf of Debtor.

Based on the Motion, the Joinder, the representations of counsel and the entire record of this bankruptcy case, the Court finds that Debtor's budget does not support a reorganization

that is in prospect, Debtor has improperly used cash collateral without the consent of the creditor with an interest in the cash collateral or an order of this Court authorizing such use, that such unauthorized use of cash collateral is substantially harmful to one or more creditors, that Debtor has failed to timely file monthly reports or to timely pay quarterly fees, that Debtor has failed to satisfy his fiduciary duties as debtor-in-possession and that the assets of the estate are diminishing to the detriment of creditors.

THEREFORE, for good cause shown, it is:

ORDERED that the Motion to Dismiss be and is hereby GRANTED; and it is

FURTHER ORDERED that the dismissal of this case is with prejudice in that Debtor is enjoined from refileing a case under any chapter of title 11 of the United States Code for a period of 180 days after entry of this Order. The Clerk is authorized and directed to refuse any further bankruptcy petitions from Debtor for a period of 180 days after entry of this Order.

This Order has been signed electronically. The judge's signature and court's seal appear at the top of the Order.

United States Bankruptcy Court